

## 'TO ONE OF THE PEOPLE.'

I am sensible of the courtesy implied in the wish that my opinions may change and coincide with your own. You will pardon me, however, for saying that I should regard it as a misfortune to agree with any one in the belief that the dissolution of the Union is necessary or expedient. I am thoroughly persuaded that sorrow, and lasting self-reproach, await the man who lends his aid to destroy this great Confederacy of States—to force upon the American people anarchy for established order; violence for law; intestine dissension for internal peace; and constant liability to hostile attacks from every petty potentate, for the security which they now enjoy from all the world. The perils that may befall the State, at whatever time or in whatever way they come, I shall always share, but God forbid that I should assist in plunging her into them. If the State secedes, the question is no longer an open one, and discussion will cease, but until then, you will, I am sure, solicit not denounce entire freedom of inquiry and expression. I appeal in this matter—this question touching the inestimable value of the Union—from the new to the old school of patriots; from the men of the present day to those of the Revolution: from the inexperienced and undisciplined, who know nothing of disorder, anarchy, and civil dissension, to those whom the severe lessons of a seven years war had thoroughly instructed in their evils. These are the men whose footsteps I desire to follow, in whose judgments I have confidence and faith. They had a larger experience, they were sounder thinkers, and wiser men than those of the present day. It is from the store-house of *their* opinions that I have taken mine. It is by *their* teaching that I have shaped my principles. I speak with their authority, not with my own. Perhaps it may not be unacceptable to you to have your memory carried back to a few examples of their opinions upon this subject.

In 1788, in the discussion respecting the adoption of the present Federal Government, General CHARLES COTESWORTH PINCKNEY, whose name stands below no one but that of Washington, says, "Without union with the other States, South Carolina must soon fall. Is there any one amongst us so much a Quixote as to suppose that South-Carolina could long maintain her independence if she stood alone, or was connected only with the Southern States? I scarcely believe there is."

"Too small an extent," says Mr. CORBIN, in the Virginia Convention, "will render a Republic weak, vulnerable, and contemptible. Liberty, in such a petty State, must be on a precarious footing; its existence must depend on the philanthropy and good nature of its neighbors."

Governor RANDOLPH, of Virginia, at the same period of time, asks the question, "Can Virginia exist without the Union"—"can she send her navy and bid defiance to foreign nations?" Can she exist without union with the neighboring States, when the most potent nations have found such union necessary to their political felicity, and national existence?" "Give me leave to say I see nothing but destruction in local confederacies,—we are unsafe without union, in union alone safety consists." *"I believe as sure as there is a God in heaven, our safety, our political happiness and existence, depend on the Union of the States, and that without this Union, the people of this and the other States will undergo the unspeakable calamities which discord, faction, turbulence, war and bloodshed have produced in other countries. If the Union be now lost, I fear it will remain so forever."*

Mr. WILSON of Pennsylvania, a man of the very highest ability, says that, if the States remain disunited, "such a number of separate States, contiguous in situation, unconnected and disunited in government, would be at one time the prey of foreign force, foreign influence, and foreign intrigue, at another time the victims of mutual rage, rancour, and revenge." If divided into two or more confederacies, "animosities, and perhaps wars would arise from assigning the extent, the limits, and the rights of the different confederacies. The expenses of government would be multiplied by the number of Federal Governments. The danger resulting from foreign influence, and mutual dissensions, would not perhaps be less great and alarming in the instance of different confederacies, than in the instance of different though more numerous unassociated States." He appeals to the experience of his hearers as to the discord, and almost anarchy, which had followed the close of the Revolutionary war from the want of union. "Need I call to your remembrance the contrasted scenes of which we have been witnesses? On the glorious conclusion of our conflict with Britain, what high expectations were formed of us by others and by ourselves. Have those expectations been realized? No. What has been the case? Did our citizens lose their perseverance and magnanimity? No. What then has been the cause? The truth is, we apprehended danger on one side only; this we manfully repelled. But on the other, *danger not less formidable, but more insidious stole in upon us. Those whom foreign strength could not overpower have well nigh become the victims of internal anarchy.*" He declares that nothing can preserve the States from this anarchy and the that attends it, but the adoption of the present Federal form of government.

Col. ROBERT BARNWELL, of St. Helena, whose eloquence and excellence of character were universally admired and loved, agrees in the praise which others had lavished on the Government. He declares that it is, if not the best, the best attainable, it is "the panacea of North America, whose healing power will pervade the continent, and he sincerely believed its ratification is devoutly to be wished." As religiously to be wished is its preservation and perpetuity.

Here then are, substantially, the propositions in which you see nothing to approve—the necessity of the union of *all the States*; the certainty of losing, forever, that Union, if not at once adopted, or if now

abandoned or destroyed; the confusion, turbulence, civil war, foreign aggression, which would ruin the whole country if divided into separate States, or into two or three confederacies; the impossibility of any one State standing unsupported and alone; the Quixotism of any man's thinking that South-Carolina would attempt it. What was thought impossible by the clear sighted statesman and soldier in '88, what he believed no one would undertake to suggest, can hardly be considered wise or judicious now. A sound discretion will restrain the promptings of even just and generous indignation when it suggests a measure so condemned.

This UNION, so urged upon the people of this country by these wise and experienced men, we have enjoyed the fruits of for sixty years. The peace and prosperous fortunes, which they anticipated, we have seen and possessed. The work has surpassed in its effects their most sanguine expectations, but *we* are, nevertheless, dissatisfied. We would destroy what they took so great pains to construct. Unfortunately for the world it is far more easy to pull down than to build up. If the same wisdom and experience were required for the one as for the other, our lot would be a happy one—the Union would last for ages.

It will at least be admitted, that the most plain, palpable, and urgent causes alone will justify its destruction. These causes must be found in the action of the Government itself, not in proceedings extraneous to it—not in the seditious cries, or sentiments, or conduct of unprincipled demagogues, which are found in all countries, under all Governments, and must always exist most of all in this.

The action of the Government, which is now assigned as constituting a sufficient reason for the dissolution of the Union, is comprised in the Acts of the last session, by which California was admitted as a State, Territorial governments were established for Utah and New Mexico, and the disputed Texan boundary was settled and quieted.

These Acts are not what we would wish them to be. They do not give the South all that we would give it. But that is not the question at issue. Are they infractions of the Constitution; are they *plain, palpable breaches* of the compact between the States? You think they are, I am convinced they are not.

It would be useless and wearisome to all of us, to go over the whole ground of controversy. I will take one of the cases only for the purpose of showing the loose and insufficient kind of reasoning, that is equally applied to all, by which many persuade themselves that the National Government has infringed the Constitution, and violated our rights. For this purpose, let us examine the strongest supposed case—the Act admitting California into the Union.

The Act is one simply admitting California as a State of this Union. Is this law unconstitutional? Let us first see what the Constitution says on this subject. I am convinced that many persons, who have never taken the trouble to read what the Constitution does say, are under the belief that it requires all States, about to be admitted, to have been under Territorial governments, previous to their admission. All that the Constitution provides, however, is that Congress may admit new States. The only condition by which this power is limited

is, that if the new State be constituted from an old one, the consent of the last shall be given. It may be inferred also from another clause, that the form of government in the new State shall be Republican. How then stands the argument, by which it is attempted to be shown that this provision of the Constitution is infringed by the admission of California? Let us reduce it to the form of a syllogism. This is not the form in which an argument is usually conducted, but it is that into which every sound argument may be resolved, and is the surest test for proving its validity. California is not formed from an old State, and the proviso, on that point, does not touch the question. The reasoning of those who insist that its admission is a breach of the Constitution, may therefore be stated as follows :

Congress, under the Constitution, has power to admit new States that have Republican forms of government. The new State, California, has a Republican form of government, therefore Congress has *not* the power to admit California. It has therefore violated the Constitution.

It may seem very puzzling to understand how such an evident non sequitur is arrived at, by men of sound and acute understandings. But a little examination enables us to comprehend and unravel the process. The conclusion is reached by assuming other conditions and limits which *are not* in the Constitution—by a kind of *mental interpolation* of the instrument, through which the power to admit new States into the Union is subjected to other limitations imposed by the Reasoner only, and not by the Constitution. These, in the case before us, are as follows :

Congress may admit new States, provided, firstly, that every Congress shall follow the form and mode of admission pursued by preceding Congresses—but this is not in the Constitution.

Secondly, that each State applying for admission shall have been first a Territory with a Territorial form of Government—neither is this in the Constitution.

Thirdly, that its limits are of reasonable size, its population of a certain description—respectable men, natives of the United States, intending to settle permanently in the country—but the Constitution is silent as to all this.

Fourthly, that, in the instance of California, the people of the Southern States may have time to move out, in sufficient numbers, with their slaves—neither is this a condition of the Constitution.

The form which the argument assumes with the help of these conditions will be after this manner. Congress has no power under the Constitution to admit new States which have not been under Territorial Governments, which are not of proper dimensions, whose population is not of a certain description, &c., &c. California has not been under a Territorial Government, is not of proper dimensions, has not a population of a certain description, &c., &c. Therefore Congress has no power to admit California. The argument would be quite conclusive if the conditions of admission were in the Constitution, but as they are not, it is good for nothing. The conditions assumed without authority may be all good and equitable. It might be more just, wise, generous to have regarded them. But they are not conditions

of the Constitution. Congress may accept or reject them. The rejection of one and all does not involve the shadow of an infraction of that instrument, and whether it is or is not infringed is the only point at issue.

The North like the South, has its peculiar mode of interpolating the clause of the Constitution, conferring the power to admit new States. The condition, which, beyond Dixon's and Mason's line, is usually inserted, is this—Congress may admit new States, provided the State applying to be admitted shall exclude slavery. If *we* insist that a State shall *not* be admitted into the Union because it excludes slavery, and *they*, because it does not exclude slavery, we and they commit precisely the same error—we virtually interpolate into the Constitution limitations and conditions respecting the admission of new States which are not in the instrument.

I have presented the argument stript bare of the appendages which do not belong to it, and which, when mixt up with it, serve only to mislead the judgment.

Your own questions seem to me to point clearly to the right conclusion. You say "Can you go to California with your slaves? No. Can you go to Georgia? Yes. If you can to the latter and not to the former, why is it so?" The answer appears to be obvious—because the people of Georgia choose to admit slavery, and the people of California choose to exclude it, and the right to admit or to exclude is the right of the people in each State solely—"it being a fundamental principle in our political creed, that a people, in forming a Constitution, have the unconditional right to form and adopt the Government which they may think the best calculated to secure their liberty, prosperity, and happiness, and that in conformity thereto, no other condition is imposed by the Federal Constitution on a State, in order to be admitted into the Union, except that its Constitution shall be Republican; and that the imposition of any other by Congress would not only be in violation of the Constitution, but in direct conflict with the principle on which our political system rests."

These are the words of Mr. Calhoun in 1847. They are the words of reason and truth, and I do not understand how they can be refuted or resisted.

You quote from my letter to Governor SEABROOK, the following passage as comprising the substance of what it contains that is erroneous and startling. "It cannot with justice be said, that there has been any infraction of the Constitution, in the measures lately adopted by Congress. Neither can it be asserted, that public opinion in the Southern States has ever given any clear and unmistakable evidence of conviction on the part of our people that they can no longer continue their social, civil and political relations with the Northern States." The preceding remarks apply to the first part of the quotation relating to the Acts of Congress. I will add a few remarks on the second part which you think will startle every man in the Slaveholding States, "Neither can it be asserted that public opinion in the Southern States has given any clear and unmistakable evidence of conviction on the part of our people, that they can no longer continue

their social, civil, and political relations with the Northern States." I do not regard resolutions and speeches as affording any such evidence. They mean very little. Has there been any other? Is the commercial or social intercourse between the States at all interrupted, or lessened? Are there fewer Southern men visiting Northern cities? Is there a less amount of business done between them? If not, has there been any *clear and unmistakable* indication, on the part of the Southern people, that they can no longer continue their social, far less their political relations with the North? I think not, and see nothing startling or objectionable in saying so.

If the people of certain States in the North persist in refusing or neglecting to counteract the machinations of seditious men among them; if, in consequence of this, the Southern States believe that the occasion requires them to rest satisfied no longer with resolutions, toasts, declamations, and speeches, but to give some more significant indication of a determination to apply a cure to the evil of which they complain, it seems to me, that it would be mistaking the matter altogether if we assail and pull down the Federal Government. I think the natural and fit remedy is to refrain, by voluntary associations, from all commercial or social intercourse with the really offending parties. If the people of Massachusetts or New York are obliged to choose between the advantages of Southern trade, and the seditious practices of free negroes and their associates, their decision in favor of order, and law, and right, will be made early and resolutely. The remedy in a very short period, would prove efficacious. It would supply precisely the only thing that is wanting, a motive sufficiently strong to induce the people of the North to put down the seditious proceedings that now disgrace it. In the mean time it involves no injury to the South, but the very reverse. It would produce in every branch of Southern Industry, the most beneficial results. It would have a direct tendency to make the Southern people independent of all the world, and the masters of their own future fortunes. The privations, which this system of measures might impose upon them, would fall infinitely short of those, which the extreme remedy of Secession and civil war would certainly produce—for assuredly, disunion means nothing short of civil war. The passions that produce the one will lead inevitably to the other.

You remark that, "non-intercommunication is secession without the name—the only difference being that non-intercommunication would admit still of the existence of the General Government." And is there really no difference between a dissolution of the Union and a temporary expedient, the very purpose of which is to save the Union? Why this is the very problem to be solved—the end at which almost all men are aiming is, to devise a remedy which will remove existing evils, and preserve the Government—one that will exact justice to the South, and not destroy this great Confederacy; that leaves still an opportunity for time, and change, and reason, and patriotism, to restore and re-animate more friendly feelings between the States; that does not rend in pieces the work which no skill of the most cunning artificer can subsequently restore; that will preserve among us undiminished that reverence for the name of Washington, which Lord Brougham declares will be

the test of civilization and refinement, in every country, for all future time; and which now induces the best, and wisest, and highest in our land, as they hurry up or down the Potomac, to stand with subdued countenances and uncovered heads, while they pass his grave. Respect for the Confederacy, and veneration for him who was mainly instrumental in establishing and confirming it, must wane and cease together.

You appear to think that my past and present position or sentiments are at variance. If they were so, it would be enough to say that, it is better to be right, than to be consistent—that as we grow older, we should at least endeavour to grow wiser. But I do not need this extenuation or defence. I have never known the time, before the present, when the dissolution of the Union was a party purpose in South Carolina. The Nullifiers were not Disunionists. They never ceased to affirm that their remedy was a peaceful and rightful remedy—peaceful, not revolutionary—rightful, consistent with the Constitution.—Their avowed object was to preserve, not destroy the Union. When charged by their opponents with being Disunionists, they repelled the imputation as a slander on their principles. These principles must be judged by their own interpretation of them, not by that of their adversaries. If there were men in the Nullification party who intended Disunion, they never said so. I, at any rate, was not one of them. Whether right or wrong in my views of the remedy and its nature, I meant what we said, that it was a remedy within the scope of our form of Government, and not involving its destruction. Now only, for the first time, is the question of Union or Disunion distinctly made. I do not admit then, that a Nullifier of 1832 must be a Disunionist in 1850, to preserve his consistency—little as that is worth with any man, when weighed in the balances with the peace and happiness of the country.

You have said very justly, that no man has enjoyed more uniformly than I have, the respect and confidence of his fellow-citizens. It is true. I acknowledge it. I hope that I am not and can never be insensible or ungrateful. There is no mode by which I can more strongly express my gratitude than, laying aside all personal considerations, to call the attention of the people of South Carolina to the evils which imprudent counsels may inflict upon them—to ask, to implore them not to plunge rashly into the horrors of civil war—not to dash from their hands the enjoyments of peace, order, prosperity, security, which they now possess—not to imitate that Italian noble whose epitaph records that, being well, and taking nostrums to be better, he had perished in the experiment, “I was well, I would be better, I am here.”

The Duke of Wellington has said that a great victory is the greatest of calamities, except a great defeat. What shall be thought of the victory which is achieved in civil strife? I am not afraid to be afraid of fraternal and intestine dissension—of bloodshed, whether North or South, by men of the same lineage and language.

I have continually in my mind the image of the bravest among the brave, and the best among the good, of the followers of CHARLES the First—the neglected dress, the dejected air, the murmured words, “peace, peace” that fell continually from his lips, whilst his heart bled

at the hideous sights of civil discord around him. No more gallant, generous, or lofty spirit ever lived than Lord FALKLAND, and I do not envy the head or heart that can think or talk lightly of what he so deeply deplored. These are the lessons which history teachers, and I earnestly hope that the people of South Carolina will not despise or neglect them.

I have done with the subject. I have discharged a duty to the best of my humble ability. If evil befalls us, no friend or neighbour shall be able to say hereafter, "why, if you differed from us in opinion, did you not say so. Every man's judgment is of some weight in the community; you might have induced us to pause, to reflect, to adopt safer or more judicious counsels."

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